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**DELEGATION OF AUTHORITY – CERCLA**

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14-13-C. Emergency Temporary Restraining Orders

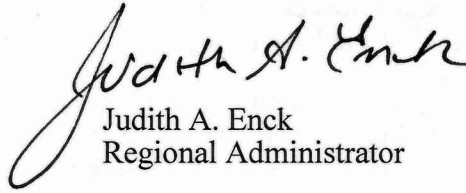
1. PURPOSE: This Order redelegates certain authorities conferred on the regional administrator by Delegation 14-13C of the EPA Delegations Manual.
2. AUTHORITY: Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended, including section 106, to refer requests for Emergency Temporary Restraining Orders to the Department of Justice and to the appropriate United States Attorney.
3. TO WHOM REDELEGATED: The director of the Emergency and Remedial Response Division and the regional counsel.
4. LIMITATIONS:
  - a. The ERRD director must obtain the advance concurrence of the RC on the legal sufficiency of the referral before exercising this authority. The RC may waive concurrence in writing.
  - b. Redelegates must notify the assistant administrator for the Office of Enforcement and Compliance Assurance and the AA for the Office of Land and Emergency Management before exercising this authority unless the AA for OECA waives the requirement for notification in writing.
5. FURTHER REDELEGATION:
  - a. This authority is hereby further redelegated to the deputy directors of ERRD and the deputy RC.
  - b. This authority may be further redelegated to branch chiefs within ERRD and no further.
  - c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
6. ADDITIONAL REFERENCES:
  - a. Memorandum of Understanding between the Agency and the Department of Justice, June 1977, 42 Fed. Reg. 48,942 (1977).
  - b. Section 107 of CERCLA.

**ORDER**

R-1200

c. For referral of other civil actions under CERCLA, see the Delegation 14-12, "Civil Judicial Enforcement Actions," and the regional redelegation of that authority.

7. SUPERSESSON: This redelegation supersedes Regional Order R-1200 (redelegation of 14-13C) dated November 23, 2004.



Judith A. Enck  
Regional Administrator